



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY



1001 I STREET, SACRAMENTO, CALIFORNIA 95814 • P.O. BOX 2815, SACRAMENTO, CALIFORNIA 95812-2815
(916) 323-2514 • (916) 324-0908 FAX • WWW.CALEPA.CA.GOV

LINDA S. ADAMS
SECRETARY FOR
ENVIRONMENTAL PROTECTION

ARNOLD SCHWARZENEGGER
GOVERNOR

Certified Mail: 7003 1680 0000 6167 9385

September 20, 2010

Mr. Michael Dyer
Fire Chief
Santa Barbara County Fire Department
4410 Cathedral Oaks Road
Santa Barbara, California 93110

Dear Mr. Dyer:

The California Environmental Protection Agency (Cal/EPA), California Emergency Management Agency, Office of the State Fire Marshal, Department of Toxic Substances Control, and the State Water Resources Control Board conducted a program evaluation of the Santa Barbara County Fire Department Certified Unified Program Agency (CUPA) on June 8, 2010 and June 9, 2010. The evaluation was comprised of an in-office program review and field oversight inspections by State evaluators. The evaluators completed a Certified Unified Program Agency Evaluation Summary of Findings with your agency's program management staff. The Summary of Findings includes identified deficiencies, a list of preliminary corrective actions, program observations, program recommendations, and examples of outstanding program implementation.

The enclosed Evaluation Summary of Findings is now considered final and based upon review, I find that Santa Barbara County Fire Department program performance is satisfactory with some improvement needed. To complete the evaluation process, please submit Deficiency Progress Reports to Cal/EPA that depict your agency's progress towards correcting the identified deficiencies. Please submit your Deficiency Progress Reports to Ernie Genter every 90 days after the evaluation date; the first report is due on November 5, 2010.

Cal/EPA also noted during this evaluation that Santa Barbara County Fire Department has worked to bring about a number of local program innovations, including: an outstanding outreach program that includes regular meetings with an active Community Toxic Advisory Committee and fee waivers for household hazardous waste and community waste tire oil facilities; and excellent coordination with the seven cooperating agencies. We will be sharing these innovations with the larger CUPA community through the Cal/EPA Unified Program website to help foster a sharing of such ideas statewide.

Mr. Michael Dyer
Page 2
September 20, 2010

Thank you for your continued commitment to the protection of public health and the environment through the implementation of your local Unified Program. If you have any questions or need further assistance, you may contact your evaluation team leader or Jim Bohon, Manager, Cal/EPA Unified Program at (916) 327-5097 or by email at jbohon@calepa.ca.gov.

Sincerely,

[Original signed by Don Johnson]

Don Johnson
Assistant Secretary
California Environmental Protection Agency

Enclosure

cc: Sent via email:

Mr. Rick Joyner
Assistant Fire Marshal
Santa Barbara County Fire Department
4410 Cathedral Oaks Road
Santa Barbara, California 93110

Ms. Ann Marie Nelson
Hazardous Materials Manager
Santa Barbara County Fire Department
4410 Cathedral Oaks Road
Santa Barbara, California 93110

Mr. Terry Snyder
State Water Resources Control Board
P.O. Box 944212
Sacramento, California 94244-2102

Ms. Jennifer Lorenzo
Office of the State Fire Marshal
P.O. Box 944246
Sacramento, California 94244-2460

Mr. Mark Pear
Department of Toxic Substances Control
700 Heinz Avenue, Suite 210
Berkeley, California 94710-2721

Mr. Michael Dyer
Page 3
September 20, 2010

cc: Sent via email:

Mr. Fred Mehr
California Emergency Management Agency
3650 Schriever Avenue
Mather, California 95655-4203

Ms. Terry Brazell
State Water Resources Control Board
P.O. Box 944212
Sacramento, California 94244-2102

Mr. Kevin Graves
State Water Resources Control Board
P.O. Box 944212
Sacramento, California 94244-2102

Ms. Asha Arora
Department of Toxic Substances Control
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721

Mr. Charles McLaughlin
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826-3200

Mr. Ben Ho
Office of the State Fire Marshal
P.O. Box 944246
Sacramento, California 94244-2460

Chief Robert Wyman
California Emergency Management Agency
3650 Schriever Avenue
Mather, California 95655

Mr. Jack Harrah
California Emergency Management Agency
3650 Schriever Avenue
Mather, California 95655-4203

Mr. Ernest Genter
Cal/EPA Unified Program
P.O. Box 2815
Sacramento, CA 95812



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

Enclosure



LINDA S. ADAMS
SECRETARY FOR
ENVIRONMENTAL PROTECTION

1001 I STREET, SACRAMENTO, CALIFORNIA 95814 • P.O. BOX 2815, SACRAMENTO, CALIFORNIA 95812-2815
(916) 323-2514 • (916) 324-0908 FAX • WWW.CALEPA.CA.GOV

ARNOLD SCHWARZENEGGER
GOVERNOR

CERTIFIED UNIFIED PROGRAM AGENCY EVALUATION SUMMARY OF FINDINGS

CUPA: Santa Barbara County Fire Department

Evaluation Date: June 8 and 9, 2010

EVALUATION TEAM

Cal/EPA: Ernie Genter
SWRCB: Terry Snyder
Cal EMA: Fred Mehr
DTSC: Mark Pear
OSFM: Jennifer Lorenzo

This Evaluation Summary of Findings includes the deficiencies identified during the evaluation, program observations and recommendations, and examples of outstanding program implementation activities. The evaluation findings are preliminary and subject to change upon review by state agency and CUPA management. Questions or comments can be directed to Ernie Genter at (916) 327-9560.

	<u>Deficiency</u>	<u>Preliminary Corrective Action</u>
1	<p>The CUPA's permit does not include all the required UST specific elements. It is missing monitoring requirements of both tanks and piping or an attached approved monitoring plan.</p> <p>The CUPA can develop a template containing the monitoring options and indicate which options each facility has or the monitoring requirements may be shown on the permit as: "Monitoring or programming for monitoring will be conducted at the locations of the following equipment, if installed: monitoring system control panels; sensors monitoring tank annular spaces, sumps, dispenser pans, spill containers, or other secondary containment areas (e.g. double-walled piping); mechanical or electronic line leak detectors; and in-tank liquid level probes (if used for leak detection). Also monitoring options for automatic pump shutdown, fail safe operation, or other programming options will be specified".</p> <p>Additionally, if the CUPA wants to list equipment test due dates and other pertinent information they may do so.</p> <p>CCR, Title 23, Section 2634 (b), 2641 (g) and 2712 (c) [SWRCB]</p>	<p>By October 9, 2010, the CUPA will issue permits with monitoring requirements or attach an approved Monitoring Plan.</p>

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

2	<p>The CUPA is not ensuring that all facilities that have received a notice to comply citing minor violations have returned to compliance within 30 days of notification. This is a carryover deficiency from the 2007 evaluation, but there has been improvement.</p> <p>In FY 07/08 self-audit indicate that 56 of 123 businesses with minor violations returned to compliance within 30 days for the business plan program, 37 of 137 businesses returned to compliance within 30 days for generator program, and 13 of 64 returned to compliance in the UST program. For FY08/09 the self-audit indicates that 108 of 155 cited returned within 30 days for BP's, 65 of 101 cited returned within 30 days for waste generators, and 34 of 67 cited returned within 30 days for UST's. However, compliance beyond this point could not be verified.</p> <p>Ensure that the RTC certification has been received in order to document compliance or, in the absence of compliance certification, the CUPA must use a follow-up process to confirm that compliance has been achieved.</p> <p>HSC, Chapter 6.11, Section 25404.1.2 [Cal/EPA]</p>	<p>By December 9, 2010, the CUPA will provide Cal/EPA with documentation that return to compliance is being tracked and appropriate follow-up action is being taken for minor violations cited in all CUPA programs.</p>
3	<p>The CUPA is not ensuring that businesses submit their annual CA/PBR update or their CA/PBR authorization treatment notifications</p> <p>Although the CUPA added a line in their inspection checklist to verify that the facility has submitted PBR/CA/CE notification during an inspection, there is no mechanism in place to ensure annual notifications are received from PBR/CA facilities. This is a repeat deficiency from the 2007 CUPA evaluation.</p> <p>CCR, Title 22, section 67450.3(c)((1), [DTSC]</p>	<p>By October 1, 2010, the CUPA will start taking the appropriate action to obtain the required annual information from PBR/CA facilities.</p>
4	<p>Of the business plan facility files reviewed, 40 percent of the business plan facilities were not inspected within the past three fiscal years as required. However, the annual summary reports indicate that 91 percent of businesses have had routine inspections within the past 3 fiscal years.</p> <p>HSC, Chapter 6.95, Section 25508 [Cal EMA]</p>	<p>By September 7, 2010, the CUPA will develop and implement an action plan to inspect business plan facilities at least once every three years.</p> <p>On the first progress report, submit a status of the CUPA's implementation of the action plan.</p>
5	<p>As identified in the 2005 and 2007 CUPA evaluations, the CUPA has not reviewed or updated their Area Plan within the last 36 months. The CUPA has contracted development of an updated Area Plan with a contractor who has been unable to complete the task to date, but is</p>	<p>The CUPA has received an extension for their HMEP Grant to update their Area Plan. By December 9, 2010 the CUPA shall have an approved updated Area Plan implemented.</p>

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

	<p>still working on it.</p> <p>HSC section 25503 (d) [Cal EMA]</p>	
6	<p>The CUPA has not been conducting a complete annual performance audit of the Cal ARP Program. This audit needs to include all requirements of the audit found in 2780.5:</p> <p>CCR, Title 19 section 2780.5 [Cal EMA]</p>	<p>The CUPA will provide a complete CalARP performance audit by September 30, 2010 for the FY 09/10 fiscal year.</p>
7	<p>The CUPA has not inspected all CalARP facilities within the required triennial inspection cycle.</p> <p>The Annual Report 3's indicate 21 out of 44 facilities were inspected the past 3 fiscal years. The CUPA has made improvements and inspected 12 more CalARP facilities this current fiscal year, resulting in 33 of 44 CalARP facilities having received inspections.</p> <p>CCR, Title 19 section 2775.3 [Cal EMA]</p>	<p>By September 7, 2010, the CUPA will develop and implement an action plan to inspect CalARP facilities at least once every three years.</p> <p>On the first progress report, submit a status of the CUPA's implementation of the action plan.</p>
8	<p>The CUPA has not inspected all TP facilities within its triennial inspection cycle.</p> <p>Report 3 for FY 2006-2007 shows 3 of 26 TP facilities inspected;</p> <p>Report 3 for FY 2007-2008 shows 5 of 21 TP facilities inspected;</p> <p>Report 3 for FY 2008-2009 shows 4 of 26 TP facilities inspected.</p> <p>In conclusion, 12 of 26 TP facilities have been inspected.</p> <p>HSC, Chapter 6.5, Section 25201.4(b)(2) [DTSC]</p>	<p>The CUPA will ensure that all TP facilities are inspected within three calendar years from the last inspection. The CUPA shall indicate when the goal has been achieved in the next FY 10/11 Annual Inspection Summary Report 3.</p>
9	<p>While the Santa Barbara Fire Department has reported RCRA LQG data (inspections, violations and enforcement actions) annually on the Annual Summary Reports 3 and 4, they have not reported the information on a quarterly basis to DTSC.</p> <p>The reports must be submitted to DTSC quarterly, on February 1, May 1, August 1, and October 15 of each preceding quarter. If the CUPA has not done any inspections or taken any enforcement at a RCRA LQG facility, please submit a notice letting DTSC know that the CUPA did not have any activities to report. Please see April 24, 2008 letter.</p> <p>The CUPA has the option to enter the requested information in Cal/EPA's Unified Program Data System (UPDS).</p> <p>https:// securecupa.calepa.ca.ca.gov/UPDS/Web/</p>	<p>By October 15, 2010, the CUPA will submit the RCRA LQG Report for the 3rd quarter (July-Sept) and continue to submit the reports on the required quarterly basis.</p>

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

Forms/Public/Login.aspx	
HSC 25187(m) T27, 15290(g)[DTSC]	

The following deficiencies were carry-over from the 2007 Evaluation. During the 2010 CUPA evaluation, it was determined that each deficiency had been corrected as noted.

The CUPA has not established the following administrative procedures: public participation; records maintenance; for forwarding the HMRRP information in accordance with HSC sections 25503(d) and 25509.2 (a) (3); and financial management.	The CUPA has all required administrative procedures in their Policies and Procedures binder.
The CUPA is not implementing their inspection and enforcement program in a manner consistent with the laws, regulations, and their draft Inspection and Enforcement Plan.	The CUPA is implementing their inspection and enforcement program consistent with laws, regulations and the Inspection and Enforcement Plan.
The CUPA is not properly documenting the training and expertise of their staff.	The 2010 CUPA evaluation determined that the CUPA is properly documenting the training and expertise of their and Cooperating Agency (CA) staff.
The CUPA has not met the mandated inspection frequency for UST facility compliance inspections during the last year.	The CUPA has met the mandated inspection frequency for UST facility compliance inspections during the past three years.
The CUPA is not inspecting or ensuring the Cooperating Agencies (CA) are inspecting all businesses, subject to the business plan for compliance every 3 years.	The CUPA is inspecting and assuring the CA's are inspecting all businesses subject to the business plan for compliance every 3 years.
The CUPA is not ensuring that the businesses, subject to the hazardous materials business plan, annually submit their hazardous materials Annual Business Plan Certification (which includes annual inventory and business plan review).	The CUPA is ensuring that the businesses subject to the hazardous materials business plan are annually submitting their hazardous materials Annual Business Plan Certifications. Several AEO's have been filed for failure to provide the annual certification.
The CUPA is not meeting its inspection frequency identified in the draft Inspection and Enforcement Plan for businesses subject to the hazardous waste program. Additionally, the CUPA is not meeting the required tiered permitting inspection frequency	The CUPA is meeting its inspection frequency identified in the I&E Plan for businesses subject to the hazardous waste program, including the required tiered permitting inspection frequency.
The CUPA is not citing violations consistent with definitions of minor, Class II or Class I as provided in state statute law and regulation.	The CUPA began implementing violation classification for all programs in FY08/09 and is reporting them on the Annual Enforcement Summary Report 4.
The CUPA does not have a CalARP dispute resolution procedure.	The CUPA has a CalARP dispute resolution procedure.

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

CUPA Representative	<u>Ann Marie Nelson</u> (Print Name)	<u><i>Original Signed</i></u> (Signature)
----------------------------	---	--

Evaluation Team Leader	<u>Ernest S. Genter</u> (Print Name)	<u><i>Original Signed</i></u> (Signature)
-------------------------------	---	--

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

PROGRAM OBSERVATIONS AND RECOMMENDATIONS

The observations and recommendations provided in this section address activities the CUPA are implementing and/or may include areas for continuous improvement not specifically required of the CUPA by regulation or statute.

1. **Observation:** There were some minor errors and inconsistencies in the Annual Summary Reports.

Recommendation: Cal/EPA recommends that extra care be taken in completing the reports and that all entries be double checked before submittal. Furthermore, if there is any doubt regarding the requirements or definitions for any entries, contact Cal/EPA or review the report instructions and data dictionary.

2. **Observation:** Many of the CUPA's Underground Storage tank (UST) facility files reviewed did not contain current Unified Program facility (Form A) and monitoring plan (Form D) forms. The CUPA was using the new Tank (Form B) forms in all the files reviewed.

Recommendation: The SWRCB strongly recommends all UST facility files be updated with the new Forms A (Facility Information) and D (Monitoring) which contain new fields of information from the old forms. This can be done during the annual compliance inspection by leaving the new forms for completion and return or the CUPA can pre-populate the information into the form functional Word documents and leave copies with the facility. The new forms were part of the new Title 27 regulations adopted previously.

Another alternative is for the CUPA to utilize Envision or CERS portals to have the UST owner/operator enter the facility information via the portal which will be captured automatically by the CUPA's Envision database. This should eliminate the need for CUPA staff to enter the data and allow the retention of the forms electronically which will allow updating of the forms without new forms being submitted.

3. **Observation:** The CUPA is not following their procedure to assure that all UST monitoring plans are approved.

Recommendation: The SWRCB recommends that the CUPA ensure that the procedure for review and approval of monitoring plans is followed for all monitoring plan submittals.

4. **Observation:** Some of the CUPA UST files reviewed were missing current Financial Responsibility Certifications.

Recommendation: The SWRCB recommends that the CUPA ensure current Financial Responsibility Certifications are on file.

5. **Observation:** On June 3, 2010, the inspector conducted the UST site inspection in a thorough and professional manner. He used a detailed and complete Inspection Checklist

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

to document the scope of the inspection and all the required elements in compliance. His attention to detail and knowledge of code and regulations resulted in an excellent inspection. The inspector required the service technician to better secure the sump sensor sleeves to ensure that the sensor did not fall over. The inspector required the owner to complete missing documentation before completing the inspection. The inspector also asked for suggestions on how to improve his inspection technique and procedure. The SWRCB appreciates the efforts of this inspector.

Recommendation: None Provided

6. **Observation:** A number of items on the CUPA's Web site under Hazardous Materials Programs were out of date and/or inaccurate. A list of items and recommendations were provided to the CUPA during the evaluation.

Recommendation: OSFM and Cal/EPA recommends that the CUPA should update their Web site as necessary.

7. **Observation:** The CUPA states the following in its Inspection and Enforcement Program Plan (I&E Plan):
- a. The hazardous materials business plan or annual inventory certification statements are due to the CUPA by September 1st of each year. In general, business plan certifications are required annual on or before March 1st of each year per California Code of Regulations, Title 19, section 2729.4.
 - b. Figure 2 beginning on page 14 – The only roles identified for cooperating agencies (CA) are that they may be given a business plan or a chemical inventory summary and that they are to verify HMBP accuracy. There are no additional tasks for the CA inspectors once they verify the HMBP/annual inventories.

Recommendation: The OSFM recommends that the CUPA update the I&E Plan as follows:

- a. Update the due date for the business plans.
 - b. Provide additional details on the tasks of the CA inspectors.
8. **Observation:** As noted in Outstanding Program Implementation item #2, the CUPA maintains excellent coordination with its cooperating agencies through regularly scheduled meetings held once every two months; the meeting locations are varied throughout the year. The CA inspectors are expected to attend at least four of the six meetings annually.

Recommendation: The OSFM recommends that the CUPA continue to maintain the coordination with its cooperating agencies. Also, the CUPA should make an effort to open the meetings to conference calls for those unable to travel far or have limited schedules.

9. **Observation:** While the CUPA has improved its inspection frequency, further improvement may be made. The CUPA has inspected 89% of all hazardous waste generators that have been identified by the CUPA.
- 1) 1060 hazardous waste generators were identified in Fiscal Year 06/07 of which 293 were inspected.
 - 2) 1046 hazardous waste generators were identified in Fiscal Year 07/08 of which

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

340 were inspected.

3) 1040 hazardous waste generators were identified in Fiscal Year 08/09 of which 293 were inspected.

There are still some facilities such as Raytheon Systems located at 7418 Hollister Avenue in Goleta, CA, Santa Maria CoGen Inc. located at 802 Hanson Avenue in Santa Maria, CA and the Okonite Company located at 2900 Skyway Drive in Santa Maria, CA that have not been inspected since the last triennial inspection cycle.

DTSC's Hazardous Waste Tracking System reflects approximately 1389 hazardous waste generators with in Santa Barbara County.

Recommendation: DTSC recommends that the CUPA verify its numbers of hazardous waste generators with in Santa Barbara County.

- 10. Observation:** The CUPA routinely accesses the Hazardous Waste Tracking System of DTSC to determine whether facilities within its jurisdiction have active EPA ID numbers and to review facility manifests before conducting a hazardous waste generator inspection.

Recommendation: DTSC recommends that the CUPA continue accessing DTSC's Hazardous Waste Tracking System for future generator inspections to determine waste profiles and generation status from previous manifests sent.

- 11. Observation:** The CUPA states that some of the complaints referred were never received. As a result, the CUPA was unable to demonstrate that the following complaints which were referred by DTSC from January 1, 2004 to June 1, 2006 were investigated. Follow-up documentation could not be found for Complaints Nos., 07-1207-0709, 07-1007-0568, 09-0309-0131, 08-1008-0708, 08-0608-0442, 08-1008-0748, 07-1207-0709, and 09-0109-0009. However, follow up documentation could be found for the incident at Lompoc Hospital Complaint No. 07-0507-0273, which was received thru 911. Complaints Nos. 08-0108-0003 was referred to city code enforcement. Complaint No. 08-0908-0678 was determine not to be HW generator. Complaint No. 08-0708-0506 was responded to as a 911 call by the fire department. Complaint No. 09-0409-0193 was referred to solid waste.

Recommendation: DTSC recommends that the CUPA ensure that all complaints are being received by the CUPA from DTSC by providing the e-mail address of the person who should receive complaints to [nancylanchaster@dtsc.ca.gov], complaint coordinator. Investigate and document all complaints referred. Investigation does not always entail inspection, as many issues may be resolved by other means such as a phone call. In any instance, it is suggested that all investigations be documented, either by inspection report or by "note to file" and placed in the facility file. Please notify the complaint coordinator of the disposition of all complaints.

- 12. Observation:** Tiered Permit Inspection Checklists have not been developed and used by the CUPA. This was also noted for the last inspections of the Microwave

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

Application Group and Lenscrafter, Inc.

Recommendation: DTSC recommends that the CUPA develop TP checklists and review and complete them during every triennial inspection of TP facilities. Please see the unidocs website for suggested checklists to use.

13. **Observation:** Shell located at 55 Fairview Avenue in Goleta, CA is a hazardous waste generator. While a business plan inspection was conducted on 03/04/2008, there is no report that indicates whether a hazardous waste generator inspection had been done as well.

Recommendation: DTSC recommends that generator inspections be conducted in conjunction with business plan inspections when applicable and that a hazardous waste generator inspection checklist be completed for all generator inspections conducted.

14. **Observation:** The CalARP files are very well organized, clean and efficient.

Recommendation: Cal EMA recommends that the CUPA continue program improvements.

15. **Observation:** The CUPA missed the application of a regulation during the hazardous waste oversight inspection. During the inspection, the following was noted:
1) The inspector overlooked whether the facility had complied with the requirements under HSC 25244.19.

The facility was determined to be in compliance during the oversight when it was brought to the inspector's attention.

Recommendation: DTSC recommends that the CUPA ensure that all inspectors inspect for all applicable laws and regulations during all routine compliance inspections.

16. **Observation:** The CUPA did not initiate an enforcement action against the former business owner of Goleta Marine located at 315 Santa Barbara Avenue in Santa Barbara, CA for the abandonment of hazardous waste on site by Goleta Marina on or about August 28, 2008.

Background: This site was the location of Goleta Marine, which has closed. The former business owner had left numerous containers of hazardous waste on site. The new owner of the property, Ziliott, was later contacted and he hired Safety-Kleen to remove the hazardous waste.

Also, the CUPA failed to complete the appropriate enforcement against Precision Auto Body & Painting located at 57 South Fairview, Avenue in Goleta, CA for the illegal disposal of hazardous waste sludge from a solvent recycler to the trash from an inspection conducted on November 19, 2008.

Recommendation: DTSC recommends that the CUPA ensure that staff are trained in and

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

consistently applying violation determination and classification during all inspections, and are trained in and consistently initiating and completing appropriate formal enforcement actions when appropriate. A good tool for refresher training may include covering the Cal/EPA “Violation Classification Guidance document for Unified Program Agencies”, which is available on the Cal/EPA website under the Unified Program Inspection and Enforcement Resources. The CUPA staff should also regularly review and consistently follow the CUPA’s Inspection and Enforcement Plan for applying appropriate formal enforcement actions.

EXAMPLES OF OUTSTANDING PROGRAM IMPLEMENTATION

1. **Outreach:** The County of Santa Barbara Fire Department CUPA has an outstanding outreach program. They have a very active Community Toxic Advisory Committee that the CUPA works closely with and meet regularly. They have a very comprehensive web site with many guides and fact sheets, particularly regarding household hazardous wastes. They provide fee waivers for HHW and community waste oil facilities. They provide support to three Community Awareness and Emergency Response (CAER) programs, the Leaking Underground Fuel Tanks program, and Site Mitigation Unit. A staff member sits on the CAER executive committee.
2. **Coordination with Cooperating Agencies:** In the County of Santa Barbara, the local fire agencies and the County fire agency work together in the inspection of business plan facilities. Inspections are done every three years for compliance with the business plan requirements. Santa Barbara County Fire Department CUPA shares the business plan program inspections with the seven Cooperating Agencies (CA): Carpinteria-Summerland Fire District, Montecito Fire District, Santa Barbara City Fire Department, Lompoc City Fire Department, Santa Maria City Fire Department, University of California Santa Barbara and the Vandenberg Air Force Base Fire Department.

The CUPA maintains an excellent coordination with its cooperating agencies through regularly scheduled meetings held once every two months; the meeting locations are varied throughout the year. The CA inspectors are expected to attend at least four of the six meetings annually.

In addition to the CUPA-CA coordination meetings, the CUPA has begun evaluating the performance of its CAs this fiscal year.

This unique arrangement has resulted in an efficient and effective business plan program.

3. **Formal Enforcement Improvement:** The CUPA began implementing formal enforcement actions in FY08/09 when one AEO was pursued and resulted in penalties imposed. So far in FY 09/10, nine AEOs are being processed with several already resulting in penalties being imposed.

Formal enforcement actions include the following:

- Settled an administrative enforcement order against Southern California Edison for failure to submit its HMBPs for thirteen of its sites for \$13,000.
- Settled an administrative enforcement order against Safety-Kleen Corporation for failure to submit its HMBP for \$4,500.
- Settled an administrative enforcement order against Jiffy Lube for failure to submit its HMBP for \$1500.
- Settled an administrative enforcement order against UC Santa Barbara for failure to report a 40 gallon diesel release for \$2,500.

The Santa Barbara County Fire Department is currently taking enforcement against the

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

following two facilities:

- One facility failed to conduct employee training, illegally disposed of its hazardous waste, failed to properly label its hazardous waste containers, failed to store its hazardous waste in closed/sealed containers, failed to conduct a hazardous waste determination, and failed to establish a hazardous materials plan.
- Another facility failed to obtain a hazardous waste generator permit, failed to establish a hazardous materials business plan, illegally disposed of its hazardous waste, improperly labeled its hazardous waste containers, failed to report an unauthorized release, and deposited a deleterious substance where it could potentially pass to the water of the State.